

No.

CR 07 00549

JF

PVT

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

THE UNITED STATES OF AMERICA

vs.

ADOLFO MORALES-ORTUNIO

INDICTMENT

COUNT ONE:

Title 8, U.S.C. § 1326 - Illegal Re-Entry Following  
Deportation

*A true bill.*

*Ramona L. Wells*

Foreperson

Filed in open court this 22 day of Aug

A.D. 2007

*[Signature]*

United States Magistrate Judge

Bail. \$ No process

FILED

2007 AUG 22 P 3:54

RICHARD W. WIEKING  
CLERK  
U.S. DISTRICT COURT  
NO. DIST OF CA. S.J.

*Sm*

E-FILING

*100  
JF*

SCOTT N. SCHOOLS (SCBN 9990)  
United States Attorney

FILED

2007 AUG 22 P 3 54

RICHARD W. WIEKING  
CLERK  
U.S. DISTRICT COURT  
NO. DIST. OF CA., S.J.

E-FILING

Sm

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

ADOLFO MORALES-ORTUNIO

Defendant.

CR

No.

07 00549

JF

VIOLATION: 8 U.S.C. § 1326 –  
Illegal Re-Entry Following Deportation

PVT

SAN JOSE VENUE

INDICTMENT

The Grand Jury charges:

On or about July 27, 2007, the defendant

ADOLFO MORALES-ORTUNIO,

an alien, previously having been arrested and deported from the United States on or about  
February 27, 1999 and December 13, 2002, was found in the Northern District of California, the  
Attorney General of the United States and the Secretary for Homeland Security not having  
expressly consented to a re-application by the defendant for admission into the United

//

//

INDICTMENT

1 States, in violation of Title 8, United States Code, Section 1326.

2 DATED: 8/22/07

A TRUE BILL.

3  
4 Ramona L. Wills  
5 FOREPERSON

6 SCOTT N. SCHOOLS  
7 United States Attorney

8 David R. Callaway  
9 DAVID R. CALLAWAY  
Deputy Chief, San Jose Office

10  
11 (Approved as to form: Jeffrey Schenk)  
12 AUSA JEFFREY SCHENK  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

INDICTMENT

AO 257 (Rev. 6/78)

**DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT**BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT  
☐ SUPERSEDING**OFFENSE CHARGED**

Title 8, U.S.C. § 1326 - Illegal Re-Entry Following Deportation

☐ Petty  
☐ Minor  
☐ Misdemeanor  
☒ Felony

E-FILING

**PENALTY:**20 years imprisonment  
\$250,000 fine  
3 years supervised release  
\$100 special assessment fee

CR 07 00549 JF PVT

Name of District Court, and/or Judge/Magistrate Location  
NORTHERN DISTRICT OF CALIFORNIA

DEFENDANT - U.S.

2007 AUG 22 P 3:54

ADOLFO MORALES-ORTUNO RICHARD W. WIEKING  
CLERKDISTRICT COURT NUMBER U.S. DISTRICT COURT  
NO. DIST. OF CA., S.J.**PROCEEDING**

Name of Complainant Agency, or Person (&amp; Title, if any)

ICE

☐ person is awaiting trial in another Federal or State Court, give name of court☐ this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:☐ U.S. Att'y ☐ Defense☐ this prosecution relates to a pending case involving this same defendant☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded underSHOW  
DOCKET NO.MAGISTRATE  
CASE NO.Name and Office of Person  
Furnishing Information on  
THIS FORM

SCOTT N. SCHOOLS

☒ U.S. Att'y ☐ Other U.S. AgencyName of Asst. U.S. Att'y  
(if assigned)

JEFFREY SCHENK

**IS NOT IN CUSTODY**

- 1) ☐ Has not been arrested, pending outcome this proceeding. If not detained give date any prior summons was served on above charges
- 2) ☐ Is a Fugitive
- 3) ☐ Is on Bail or Release from (show District)

**IS IN CUSTODY**

- 4) ☒ On this charge
- 5) ☐ On another conviction
- 6) ☐ Awaiting trial on other charges
- } ☐ Fed'l ☐ State

If answer to (6) is "Yes", show name of institution

Has detainer  
been filed?☐ Yes  
☐ NoIf "Yes"  
give date  
filedDATE OF  
ARREST

Month/Day/Year

Or... if Arresting Agency &amp; Warrant were not

DATE TRANSFERRED  
TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted**ADDITIONAL INFORMATION OR COMMENTS****PROCESS:**☐ SUMMONS ☒ NO PROCESS\*☐ WARRANT Bail Amount: \_\_\_\_\_

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address: \_\_\_\_\_

\*Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: \_\_\_\_\_

Before Judge: \_\_\_\_\_

Comments: \_\_\_\_\_